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Summary prepared by the Office of the United Nations High Commissioner for Human Rights in accordance with paragraph 15 (c) of the annex to Human Rights Council resolution 5/1 and paragraph 5 of the annex to Council resolution 16/21

Belarus*

The present report is a summary of 31 stakeholders' submissions[1] to the universal periodic review. It follows the general guidelines adopted by the Human Rights Council in its decision 17/119. It does not contain any opinions, views or suggestions on the part of the Office of the United Nations High Commissioner for Human Rights (OHCHR), nor any judgement or determination in relation to specific claims. The information included herein has been systematically referenced in endnotes and, to the extent possible, the original texts have not been altered. As provided for in Human Rights Council resolution 16/21, where appropriate, a separate section is provided for contributions by the national human rights institution of the State under review that is accredited in full compliance with the Paris Principles. The full texts of all submissions received are available on the OHCHR website. The report has been prepared taking into consideration the periodicity of the review and developments during that period.

* The present document was not edited before being sent to United Nations translation services.

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I. Information provided by stakeholders

A. Background and framework

1. Scope of international obligations[2]

1. Joint submission 4 (JS4) recommended accession to the Second Optional Protocol to the International Covenant on Civil and Political Rights (ICCPR).[3]

2. JS4 noted that Belarus had not made the declarations under articles 21 and 22 of the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (CAT).[4] JS2 and JS4 recommended accession to the Optional Protocol to the CAT.[5]

3. The Belarus Documentation Centre (BDC) and JS4 recommended ratification of the International Convention for the Protection of All Persons from Enforced Disappearance.[6]

4. In relation to the recommendation from the first Universal periodic review (UPR) on considering ratification of the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families, the Organization of Afghan Refugees "Afghan Community" (Afghan Community) noted that the 2011 Law on External labour migration and the entry into force in 2012 of a regional agreement on the legal status of migrant workers, including Belarus, the Russian Federation and Kazakhstan, would allow Belarus to evaluate the possibility of accession to this convention.[7]

5. ERT and JS4 mentioned that, despite statements from Belarus about its readiness to accede to the Convention on the Rights of Persons with Disabilities (CRPD), it was yet to sign it.[8]

6. Human Rights Watch (HRW) recommended ratification and implementation of the Rome Statute of the International Criminal Court.[9]

7. Gender Perspectives suggested that Belarus undertake steps in order to accede to ILO Convention No. 156 concerning Equal Opportunities and Equal Treatment for Men and Women Workers: Workers with Family Responsibilities.[10]

8. The Business Women's Club (BWC) and Gender Perspectives welcomed Belarus' accession to the Council of Europe Convention on Action against Trafficking in Human Beings.[11]

9. Children-Not for Violence (CNFV) recommended accession to the Council of Europe Convention on the Protection of Children against Sexual Exploitation and Sexual Abuse.[12]

2. Constitutional and legislative framework

10. The Belarussian Confederation of Industrialists and Entrepreneurs (Employers) (BCIE(E)) noted improved access to justice through a Presidential Decree in 2013 and suggested, inter alia, that Belarus consider legal initiatives to allow civil society organizations to address the Constitutional Court.[13]

3. Institutional and human rights infrastructure and policy measures

11. The Belarussian Section of the International Society for Human Rights (BSISHR) and JS4 noted initiatives by Belarus to discuss the recommendation from the first UPR concerning the possible creation of a national human rights institution in accordance with

the Paris Principles, but that an institution had not been created.[14] Joint submission 5 (JS5) and BSISHR recommended the creation of such an institution.[15] Joint submission 3 (JS3) recommended the creation of an independent body for discrimination issues.[16]

12. CNFV and the Belarussian Children's Hospice (BCH) noted the adoption of the National Action Plan for the improvement of the situation of children and the defence of their rights (2012-2016) (Action Plan on children).[17]

13. JS4 stated that Belarus had implemented the UPR recommendations partially or not at all.[18] It noted that the Government had taken some measures to protect vulnerable groups and minorities, especially to eliminate domestic violence and to protect women's rights, to support people with disabilities and to widen the inclusion of the ethnic minorities.[19]

14. The Belarussian Children's Fund (BCF) stated that cooperation with civil society organizations was one of the Government's strategies and the situation was improving.[20] CNFV had similar observations.[21] The Support Centre for Associations and Foundations (SCAF) considered that the relevant recommendations from the first UPR had been fully implemented and BSISHR that they had been insufficiently implemented.[22] The Business Union of Entrepreneurs and Employers – "Prof. M.S. Kunyavskii" (BUEE), BCIE(E) and SCAF gave examples of the Government's consultations with civil society organizations in drafting legislation.[23] Evolution, the BCF, CNFV and BCH gave examples of the Government's cooperation with NGOs in the development of policies and plans.[24] The Centre for Women's Personal Development (CWPD) stated that its very existence and the opportunities it had to work were proof that the Government did not impede its activities.[25] The Belarussian Republican Pioneers' Organization referred to the Government funding which it had received for its projects.[26] JS4 noted that only registered NGOs were invited to Government consultations on the UPR and that the opportunities to collaborate with the Government had diminished.[27] Joint submission 1 (JS1) noted that the public consultative council under the President's administration, which included representatives of human rights and other civil society organizations, had been dissolved in 2011.[28]

15. Evolution considered that measures had been undertaken within the Action Plan on legal education of citizens (2011-15) and the Action Plan on children to realise the UPR recommendation on human rights education.[29] BSISHR stated that the programmes for human rights education had been reduced in recent years.[30]

16. The Foreign Policy and Security Research Centre (FPSRC) stated that, according to the United Nations system reports, Belarus had achieved Millennium Development Goals 1, 2, 3, 4 and 5.[31]

B. Cooperation with human rights mechanisms

1. Cooperation with treaty bodies

17. JS1 recommended that Belarus implement the recommendations of the Human Rights Committee, including those arising from individual communications.[32] JS4 had similar recommendations.[33]

2. Cooperation with special procedures

18. Analytical Centre EcooM, CWPD and FPSRC noted that Belarus had invited at least eight special procedures' mandates to visit the country.[34] JS5 recommended that Belarus issue a standing invitation to the special procedures.[35] Front Line Defenders called for the acceptance of the request for a visit by the Special Rapporteur on human rights defenders in particular.[36]

19. JS2, HRW, Freedom Now, JS5 and Front Line Defenders variously called for access to Belarus to be given to the Special Rapporteur on the situation of human rights in Belarus.[37]

3. Cooperation with the Office of the United Nations High Commissioner for Human Rights

20. JS4 noted that an international conference had been held in cooperation with OHCHR on the issue of hate speech.[38] JS5 recommended broadening the scope of cooperation with the United Nations, including with OHCHR.[39]

C. Implementation of international human rights obligations, taking into account applicable international humanitarian law

1. Equality and non-discrimination

21. JS4 mentioned that studies showed the occurrence in Belarus of discrimination on various grounds, such as age, gender, religion, ethnicity, sexual orientation, political beliefs, disability, and language.[40] There were no special anti-discrimination mechanisms and in practice there were no effective remedies against discrimination.[41] ERT recommended that Belarus adopt specific and comprehensive equality legislation which should, inter alia, prohibit direct and indirect discrimination and harassment; include positive action to address past disadvantage and include rules governing the transfer of the burden of proof.[42] JS3, GayBelarus and JS4 had similar recommendations and mentioned the need for the inclusion of an open list of prohibited grounds within the legislation.[43]

22. ERT recommended the promotion of education on equality and non-discrimination for politicians, journalists and the executive authorities; the provision of specialised training for judges, the legal profession and civil servants to improve their competence in the application of the rights to equality and non-discrimination; and the inclusion of these principles in the higher and secondary education curricula.[44]

23. Gender Perspectives noted the development of a document on the concept of gender equality under the Ministry of Labour and Social Protection.[45] It recommended the amendment of the legislation to include a legal definition of gender equality in accordance with the international obligations of Belarus and the obligatory application of gender expertise in the assessment of current and new legislation.[46] ERT recommended mainstreaming gender equality in state policy.[47]

24. Noting the national machinery which had been created, Gender Perspectives recommended strengthening of the monitoring system of the National Action Plan on Ensuring Gender Equality for 2016-2020 by incorporating indicators and a financial allocation for its implementation.[48]

25. Gender Perspectives and ERT recommended undertaking measures to identify the cause of the wage gap of up to 20 per cent between men and women and to eliminate the difference.[49] ERT also noted the under-representation of women in senior positions, with the exception of the public sector, and that unequal distribution of domestic work and imbalances in the education system were also affecting women's opportunities to work.[50]

26. Afghan Community stated that there were no indications that there was discrimination against members of ethnic minorities.[51] ERT referred to discrimination faced by the Polish minority in relation to the right to freedom of association and to education in the Polish language and systematic discrimination and racial profiling by law enforcement agencies which faced Roma. It noted the authorities' commitment to combat anti-Semitism.[52] It recommended removing the criteria of citizenship from the official definition

of a national minority.[53] ERT also noted that Belarussian speakers faced difficulties despite the constitutional and legal guarantees of equality for the Russian and Belarussian languages.[54]

27. JS2 was concerned that lesbian, gay, bisexual and transgender (LGBT) persons faced negative stereotyping and social prejudice and that such attitudes were supported by the authorities at a high level.[55] ERT had similar observations.[56] GayBelarus stated that national legislation lacked any laws protecting LGBT persons from discrimination.[57] GayBelarus and JS3 stated that there were cases were LGBT activists were dismissed from their employment because of their activities.[58]

28. JS3, GayBelarus, JS2 and ERT referred to cases of hate crimes against LGBT persons, particularly against activists for their rights.[59] GayBelarus and JS3 stated that when cases were reported to the police criminal proceedings were not initiated, even when there was clear evidence of a crime; victims often faced humiliation and insults from the police because of their sexual orientation.[60] JS2, GayBelarus and ERT made various recommendations, including on the need for new legislation identifying hate based upon the motive of sexual orientation or gender identity as an aggravating circumstance in criminal and administrative cases and training for law enforcement bodies on working LGBT persons and investigating hate crimes.[61]

29. ERT was concerned that persons living with HIV/AIDS faced stigmatization and discrimination because of low levels of public awareness and discriminatory provisions contained in the relevant legislation.[62]

2. Right to life, liberty and security of the person

30. HRW and JS4 reported that Belarus had continued pronouncing sentences and executing people, including in five cases where the Human Rights Committee had requested a stay of execution; in two of these it had later found a violation of article 6 of the ICCPR.[63] HRW stated that in two cases the executed men had alleged that they were tortured during interrogation.[64] JS4 and Forum 18 mentioned that under Belarus law the dates and place of execution were not reported, the bodies were not returned to relatives and the places of burial were not disclosed.[65] Forum 18 also noted that death-row prisoners had been denied access to a priest in some cases.[66]

31. JS4 and HRW recommended the introduction of an immediate moratorium on the death penalty with a view to its abolition.[67] The Organization for Security and Co-operation in Europe (OSCE) - Office for Democratic Institutions and Human Rights (OSCE-ODIHR) referred to similar recommendations made to Belarus during OSCE meetings.[68] JS4 called for legislative amendments, prior to abolition, guaranteeing access for family members to say goodbye and bury bodies in accordance with their traditions.[69] FPSRC noted that in relation to the recommendation in the first UPR, Belarus had undertaken work in the consideration of the possibilities of abolishing the death penalty.[70] OSCE-ODIHR referred to the ongoing working of the Parliamentary Working Group on this issue.[71]

32. BDC stated that in the period 2011-2014 no efforts had been made by the authorities to investigate the four cases of enforced disappearance from the period 1999-2000 and the related recommendations from the first UPR had not been implemented.[72] It noted that the statute of limitations was 15 years in domestic law, but it could be argued that the cases were crimes against humanity and should not fall under the statute of limitations.[73] Materials relating to the investigations were being withheld from the public and the relatives of the disappeared.[74] JS4 had similar information.[75] BDC and JS4 recommended that Belarus undertake measures to investigate the cases and bring the perpetrators to justice.[76]

33. JS4 considered that Belarus had ignored the recommendations of the Committee against Torture of 2011 and had only partially implemented the recommendations relating to the prohibition of torture and inhuman treatment from the first UPR.[77] Detainees were still not given access to lawyers; there was a lack of an effective mechanism for the investigation of complaints of torture or ill-treatment; officials under investigation because of complaints of torture were not suspended from office during the period of the investigation; and recording injuries inflicted on detainees was problematic because the medical services were part of the prison system.[78]

34. Freedom Now and HRW referred to cases of ill-treatment of persons arrested during or after opposition demonstrations on the day of the election in December 2010.[79] Joint submission 2 (JS2) gave details of two cases in which LGBT persons were beaten while in the custody of the police.[80]

35. JS4 and JS2 recommended the incorporation of a definition of torture into domestic law consistent with article 1 of CAT.[81] HRW, JS5 and JS4 made recommendations on ensuring the absolute prohibition of torture.[82] JS4 and JS2 provided recommendations on the investigation of allegations of torture or ill-treatment and proceedings against officials suspected of being responsible.[83]

36. Front Line Defenders reported a case of the incommunicado detention and forced psychiatric treatment in 2013 of a doctor who investigated corruption in the health service in Vitebsk.[84]

37. JS4 noted that the commissions monitoring the execution of punishments by public bodies were totally dependent on the Ministry of Justice and recommended revising the procedures so as to provide for the participation of independent civil society organizations in them.[85] JS5 and HRW called for the treatment of all detainees to be brought into line with the international standards.[86]

38. CPDW, CNFV, Gender perspectives and BWC mentioned the efforts of the Government, many of which were undertaken in cooperation with domestic NGOs or international organizations, in the field of combatting domestic violence.[87] Gender Perspectives, CWPD and CNFV mentioned in particular the Act on the principles of actions to prevent offences which came into force in 2014 and included a reference to domestic violence.[88] CPDW and ERT recommended the adoption of a law on the prevention of domestic violence which would provide victims the right to assistance, protection and remedies.[89] Gender Perspectives proposed expanding the legislation to include additional measures for aggressors who failed to comply with restraint orders and the provision of counselling for offenders.[90] Gender Perspectives and ERT recommended expanding the provision of shelters and related services as well as relevant training for professionals including judges, prosecutors and police officers.[91] Gender Perspectives noted the need to improve the data collection systems.[92]

39. CNFV noted the efforts of the Government to implement the recommendations of the first UPR relating to the protection of the rights of the child.[93]

40. The Global Initiative to End All Corporal Punishment of Children mentioned that Belarus had accepted the UPR recommendation on forbidding corporal punishment of children by stating that it had already been implemented.[94] In its own research it had not identified the explicit prohibition of corporal punishment of children and recommended the enactment of legislation to prohibit it in all settings, including the home.[95]

41. CNFV, BWC and Gender Perspectives mentioned the passing in 2012 of the Law on Combatting Trafficking in Human Beings.[96] Gender Perspectives recommended the adoption of separate national counter-trafficking action plans for the coming period and other measures such as the establishment of a national referral system, the provision of

specialized training on human rights concepts for all stakeholders, including civil society organizations.[97] It also recommended the provision of specialized training for stakeholders involved in the identification of victims of forced labour at all levels.[98] Gender Perspectives mentioned the reliance on civil society and international organizations to support the rehabilitation of victims and noted the need for increased state ownership of the process and the absence of state funding to civil society organizations for this since 2013.[99]

3. Administration of justice, including impunity, and the rule of law

42. JS4 mentioned a number of positive measures to develop the work of the courts, these were included in a 2011 Presidential Decree, but it observed that most of the provisions had remained only as plans.[100] It noted the short tenure of most judges; that the executive authorities continued to play a decisive role in the appointment of judges; a low rate of acquittals; and a persistent problem of politically-motivated court decisions.[101] OSCE-ODIHR had similar observations and referred to the results of its trial monitoring in 2011.[102] JS4 recommended devolving all functions relating to the appointment, dismissal and disciplining of judges from the executive to the judicial self-government bodies; amending legislation to expand the practice of judicial appointments for unlimited periods and reforming the legal profession in accordance with international standards.[103]

43. JS4 noted that the legislation did not provide for the possibility of cassation of sentences, including death sentences, and decisions in cases heard by the Supreme Court a first instance.[104]

44. ERT recommended promoting international agreements, including those that contain non-discrimination provisions and standards, in judicial, administrative and law enforcement practice.[105]

45. Front Line Defenders considered that Belarus had failed to implement the UPR recommendation concerning international standards for fair trials and Government responses to concerns raised by defence lawyers and NGOs regarding trials of human rights defenders.[106] OSCE-ODIHR referred to the recommendations from its trial monitoring activities including: amending the Criminal Procedure Code to equalize the powers of the parties; taking steps to eliminate prosecutorial bias; and revising legislation concerning public access to court judgments and ensuring that such access is guaranteed, subject to lawful restrictions on personal data disclosure and matters of national security.[107]

46. JS5 recommended ensuring due process guarantees in accordance with article 14 of the ICCPR for all detained persons.[108] Freedom Now was concerned that lawyers had been disbarred after publicly expressing concern about torture.[109]

4. Right to privacy and family life

47. BCF noted that the efforts of the State and NGOs had resulted in a steady increase in the number of children receiving alternative family care and considered that, in partnership with NGOs, the State should continue its efforts towards strengthening family values, encouraging responsible behaviour by parents and the prevention of social orphanhood.[110] JS3 mentioned that certain groups of persons with disabilities were banned from adopting children.[111]

48. JS4 noted that there was no law on the protection of personal data and that some of the legislation contained inconsistent definitions of "personal data" and did not specify who should be held liable for breaches of the rules.[112]

49. Referring to the results of its monitoring of criminal trials, OSCE-ODIHR recommended that only judges be permitted to authorize wiretapping and similar investigative measures that violate privacy.[113]

50. JS4 noted restrictions on the right to privacy within Presidential Decree 60 on the use of the Internet, including the identification of users' devices and the storage of information about the services used without a clear purpose.[114]

5. Freedom of movement

51. HRW mentioned that at least 15 activists and journalists were arbitrarily banned from leaving Belarus in 2012.[115]

6. Freedom of religion or belief, expression, association and peaceful assembly, and right to participate in public and political life

52. HRW referred to the June 2012 resolution of the Human Rights Council which urged Belarus to free all "political prisoners" and "put an end to arbitrary detention of human rights defenders" and noted that as at June 2014 there were seven people detained whom human rights organizations believed had been prosecuted under politically-motivated charges.[116]

53. Forum 18 mentioned that the State closely controlled people meeting to exercise religious freedom, forcing many religious communities to keep out of sight.[117] It noted that freedom of religion and belief had been restricted less than in recent years, but violations would continue without changes to the legal framework and official attitudes.[118] JS4 stated that the legislation prohibited and criminalized religious activities carried out without state registration of a religious community.[119] ERT noted that "non-traditional" faiths were treated with suspicion by the authorities which resulted in various discriminatory practices.[120] JS4 mentioned that religious events outside of registered religious premises were permitted only with a special permit: that foreign nationals could not lead religious organizations; and that foreign nationals could lead activities only with official permission.[121] Forum 18 noted the difficulties for some religious communities in registering their premises.[122] Forum 18 noted restrictions on the import of religious materials and JS4 the fact that only registered religious organizations could distribute materials by creating their own media organizations.[123]

54. Joint submission 6 noted Belarus' continued failure to promulgate legislation to implement the right of conscientious objection to military service.[124]

55. BSISHR considered that the mass media were not accessible to those with alternative thinking to that of the authorities.[125] HRW mentioned that censorship of television, radio and the Internet was widespread. Media outlets had been threatened with closure. The authorities frequently prohibited reporting on public marches and open court hearings.[126]

56. JS4 recommended that defamation be decriminalized.[127]

57. JS5 considered that since the first UPR the Government had drastically escalated discriminatory targeting of independent journalists covering stories critical of the Government and described some cases.[128] JS4 stated that the Prosecutor's Office and the State Security Committee (KGB) had issued warnings to journalists because of their cooperation with media registered in other countries.[129] HRW noted the arrest in 2013 of 25 journalists covering public protests, the short-term imprisonment of some and other cases in 2014.[130]

58. Freemuse stated that a blacklist of Belarussian and foreign musicians and other artists had been created and that there was pressure from the authorities not to play blacklisted artists' work on radio stations. It also noted restrictions on the organization of concerts.[131] Freemuse noted that the radio station Autoradio, which had broadcast alternative music in the Belarussian language and campaign advertisements for opposition

Presidential candidates, had been closed down.[132] JS4 was concerned that the anti-extremism laws were sometimes used to censor literary or artistic works.[133]

59. JS4 considered that violations of academic freedom in Belarus' universities remained systematic and widespread.[134]

60. JS5 called for unfettered access to online information resources by removing the restrictions on access to certain websites and social media.[135] HRW mentioned one human rights organization's website that had been included in a restricted access list since 2011 and that a court had rejected a complaint which challenged this.[136]

61. JS5 considered that despite the commitments of Belarus in the first UPR, the Government had continued to subvert the right to freedom of association through a combination of legislative restrictions and discriminatory targeting of organizations critical of the Government.[137]

62. Eight submissions referred to the legal restrictions on the registration of NGOs.[138] Among these, JS5 stated that the provisions on the minimum numbers and provenance of founding members imposed debilitating requirements on NGOs.[139] JS2 noted the repeated attempts by the organization GayBelarus to register between 2011 and 2013.[140] JS1 considered that the courts did not satisfy the claims when appeals where made against the refusal of registration and called for NGOs to be allowed to use private homes as registered addresses.[141] JS1 noted that new legislation came into force in 2014 which mitigated some of the requirements for registration, but added new grounds upon which the authorities could seek the liquidation of an organization.[142] JS2 and JS1 noted that the in 2013 the number of NGOs registered was the lowest since 2005.[143]

63. Nine submissions expressed concerns about Article 193-1 of the Criminal Code which provided for a fine or imprisonment of up to 6 months' for activities carried out with an unregistered organization. Several called for its repeal or mentioned related recommendations from the first UPR.[144] JS2 and JS4 referred to other articles in the Criminal Code which restricted freedom of association.[145]

64. JS1 mentioned that there were restrictions on NGO funding which included a ban on fundraising by selling goods, publications or services; a closed list of purposes for which corporate donations could be received; and the need for State approval for the use of foreign donations.[146] HRW, JS1 and Front Line Defenders noted that in 2011 criminal responsibility was introduced for violations relating to the use of foreign donations.[147] JS1 noted as a positive innovation the emergence of a mechanism to distribute state funds among NGOs for rendering social services and CNFV noted that the process for registering projects which used international donations had been shortened.[148]

65. Front Line Defenders stated that throughout 2011 and 2012 human rights defenders were subjected to repression on an unprecedented scale: arrests, house searches, confiscation of materials, police surveillance and an intense smear campaign in the state-owned media became an everyday occurrence.[149] Front Line Defenders, Freedom Now, HRW, OSCE-ODIHR and JS5 referred to the case of the imprisonment of a human rights activist for nearly three years between 2011 and 2014.[150] GayBelarus, HRW, JS2, JS5, Front Line Defenders and Freedom Now referred to other cases or the situation of human rights defenders in general.[151]

66. JS4 considered that amendments to the Law on Mass Events, adopted in 2011 seriously worsened the legal framework for the exercise of the right to freedom of peaceful assembly.[152] JS2, JS5, JS4 and Front Line Defenders provided more details of the restrictions.[153] JS3 noted that about 120 requests to hold peaceful assemblies in support of the right of LGBT persons had been made since the first UPR, but only one had been approved and held.[154] HRW called for the law to be amended to comply with international

standards ensuring, in particular, that any sanctions for violations are proportionate and do not create undue obstacles to the right to freedom of peaceful assembly.[155] JS2, Front Line Defenders, JS5 and JS4 made related recommendations.[156]

67. HRW stated that over the last four years the authorities had repressed and discouraged peaceful assemblies and mentioned the violent dispersal of a largely peaceful protest on the night of the elections in December 2010 when several hundred protesters, journalists and seven presidential candidates were arrested.[157] Freedom Now mentioned that most of the detainees were subject to administrative detention and released within two weeks but prominent activists were imprisoned for longer periods. Detainees were held without access to legal counsel, were reportedly beaten or subjected to other forms of ill-treatment.[158] HRW stated that more than 40 persons were sentenced to up to six years' imprisonment on unfounded charges.[159] JS5 mentioned the "silent protests" in July 2011 when protesters voicing dissent against the Government were met with excessive police violence and arbitrary arrests.[160]

68. OSCE-ODIHR referred to the findings of its mission which observed the 2010 Presidential Elections.[161] It noted, inter alia, that there was a lack of independence and impartiality of the election administration, an uneven playing field, a restrictive media environment, as well as a continuous lack of transparency at key stage of the electoral process. The election night was marred by detentions of most presidential candidates, hundreds of citizens, among them journalists, human rights activists and other civil society representatives. Overall these circumstances undermined confidence in the election.[162] With reference to the 2012 Parliamentary Elections, the OSCE-ODIHR observation mission observed that citizens' rights to associate, stand as candidates and express themselves freely were not respected, despite some improvements to the electoral law.[163] While the field of candidates increased, prominent political figures, who might have played a role in the contest, remained imprisoned or were unable to register due to their criminal record.[164]

69. JS1 noted that in 2013 an administrative offence was added of the conduct of opinion polls by organizations without special accreditation from the commission of the National Academy of Sciences of Belarus.[165] It also noted that several political parties had been refused registration since the last UPR and no new party had been registered since 2000.[166] JS1 and JS4 considered that the conditions made it impossible to exercise the right to found political parties.[167]

7. Right to work and to just and favourable conditions of work

70. BSISHR considered that the right to work was being fulfilled in general, but there were disproportionate differences between the salaries of management and other staff of enterprises which often failed to reflect the value of their contributions.[168] BUEE noted its own participation in the Government's drafting of amendments to the Labour Code which had entered into force in 2014. This had improved the regulation of fixed-term employment contracts and defined new procedures for dealing with collective labour disputes.[169] It also noted the amendments to the legislation regulating minimum pay which had closed gaps and added clarity in its application.[170]

8. Right to social security and to an adequate standard of living

71. ERT recommended that Belarus continue its efforts to eliminate poverty, paying particular attention to the situation of children, single parents and the rural population.[171]

9. Right to health

72. BCH noted the measures undertaken by the Government since 2010 related to the provision of palliative care for children, including the creation of regional structures and the inclusion and implementation of relevant measures in the Action Plan on children.[172]

73. BWC referred to the State Programme for the Prevention of HIV Infection which had included preventive activities benefitting female sex-workers in the Brest region.[173]

10. Right to education

74. ERT recommended abolishing any discrimination against women in access to educational institutions; intensifying efforts to diversify the choice of education for men and women; and taking additional measures to promote equal choice of non-traditional subjects, disciplines and professions for men and women.[174]

11. Persons with disabilities

75. JS3 stated that analysis of appeals to one of its contributors showed that there were numerous cases of direct, indirect or multiple discrimination, refusal of reasonable accommodation, victimization or harassment of persons with disabilities.[175] JS4 considered that despite official claims about bringing domestic policies into compliance with CRPD, the indicators indicated the opposite and a policy of segregation on grounds of disability had been steadily increasing.[176] It noted that persons with disabilities did not have legal capacity on an equal basis with others in all aspects of life.[177] ERT mentioned that persons with disabilities continued to face disadvantage, despite a number of measures taken by the State.[178] JS3 stated that infrastructure in general was not accessible to persons with disabilities, despite, the existence of legislation regulating construction.[179] It also mentioned that the lack of physical accessibility and of teaching materials in accessible formats restricted the education of some groups of children with disabilities.[180] JS3 recommended reinstating the ban on discrimination based on disability and introducing a special law to provide for punishments in a special law on the social protection of persons with disabilities.[181]

Notes

[1] The stakeholders listed below have contributed information for this summary; the full texts of all original submissions are available at: www.ohchr.org.

Civil society

Individual submissions:

Afghan Community	International Charitable Organization of Afghan refugees "Afghan Community", Minsk (Belarus);
BCF	Belarussian Children's Fund, Minsk (Belarus);
BCH	Belarussian Children's Hospice, Minsk (Belarus);
BCIE(E)	Belarussian Confederation of Industrialists and Entrepreneurs (Employers), Minsk (Belarus);
BDC	Belarussian Documentation Center, Minsk (Belarus);
BRPO	Belarussian Republican Pioneers' Organization, Minsk (Belarus);
BSISHR	International Society for Human Rights (Belarus section), Brest (Belarus);
BUEE	Business Union of Entrepreneurs and Employers – "Prof. M S Kunyavskii", Minsk (Belarus);
BWC	Business Women's Club, Brest (Belarus);
CWPD	Centre for Women's Personal Development, Grodno (Belarus);
CNFV	Children-Not for Violence, Minsk (Belarus);
EcooM	Analytical Centre EcooM, Minsk (Belarus);
ERT	The Equal Rights Trust, London (United Kingdom of Great Britain and Northern Ireland);
Evolution	International Non-governmental Association "Evolution", Minsk (Belarus);
Freedom Now	Freedom Now, Washington DC, (United States of America);
Forum 18	Forum 18, Olso (Norway);
FPSRC	Foreign Policy and Security Research Centre, Minsk (Belarus);
Freemuse	Freemuse, Copenhagen (Denmark);
Front Line Defenders	Front Line Defenders, Blackrock (Ireland);
GayBelarus	LGBT Human Rights Project "GayBelarus", Minsk (Belarus);
Gender Perspectives	International public association "Gender perspectives", Minsk (Belarus);
GIEACPC	Global Initiative to End All Corporal Punishment of Children, London, (United Kingdom of Great Britain and Northern Ireland);
HRW	Human Rights Watch, Geneva (Switzerland);
SCAF	Support Centre for Associations and Foundations, Minsk (Belarus);

Joint submissions:

JS1	Joint submission 1, submitted by: Assembly of Pro-Democratic NGOs of Belarus, Vilnius (Lithuania) and Legal Transformation Center, Minsk (Belarus);
JS2	Joint submission 2, submitted by GayBelarus, Minsk (Belarus) and Sexual Rights Initiative (SRI), Ottawa, (Canada) comprising: Action Canada for Population and Development (ACPD); Akahatá – Equipo de Trabajo en Sexualidades y Géneros, Coalition of African Lesbians (CAL); Creating Resources for Empowerment in Action (CREA; India); Federation for Women and Family Planning (Poland);Egyptian Initiative for Personal Rights (EIPR);

JS3	Joint submission 3, submitted by: LGBT Human Rights Project "GayBelarus", Minsk (Belarus) and the Office for the rights of persons with disabilities, Minsk (Belarus);
JS4	Joint submission 4, submitted by: National Coalition for UPR, Minsk (Belarus), comprising: Belarusian Helsinki Committee, Human Rights Centre "Viasna", Legal Transformation Centre (Lawtrend), Assembly of Pro-Democratic NGOs of Belarus, Belarusian Association of Journalists, Legal Initiative NGO, Salidarnac (Solidarity) Committee, Initiative for Free Exercise of Religion, Office for the Rights of Persons with Disabilities, Belarusian Documentation Centre, Barys Zvozskau Belarusian Human Rights House;
JS5	Joint submission 5, submitted by: CIVICUS, Johannesburg (South Africa) and the Belarussian Documentation Center, Minsk (Belarus);
JS6	Joint submission 6, submitted by: International Fellowship of Reconciliation, Alkmaar (the Netherlands) and Conscience and Peace Tax International, Leuven (Belgium).

Regional intergovernmental organization(s):

OSCE-ODIHR	Organization for Security and Co-operation in Europe - Office for Democratic Institutions and Human Rights, Warsaw (Poland).

[2] The following abbreviations have been used in the present document:

ICERD	International Convention on the Elimination of All Forms of Racial Discrimination
ICESCR	International Covenant on Economic, Social and Cultural Rights
OP-ICESCR	Optional Protocol to ICESCR
ICCPR	International Covenant on Civil and Political Rights
ICCPR-OP 1	Optional Protocol to ICCPR
ICCPR-OP 2	Second Optional Protocol to ICCPR, aiming at the abolition of the death penalty
CEDAW	Convention on the Elimination of All Forms of Discrimination against Women
OP-CEDAW	Optional Protocol to CEDAW
CAT	Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment
OP-CAT	Optional Protocol to CAT
CRC	Convention on the Rights of the Child
OP-CRC-AC	Optional Protocol to CRC on the involvement of children in armed conflict
OP-CRC-SC	Optional Protocol to CRC on the sale of children, child prostitution and child pornography
OP-CRC-IC	Optional Protocol to CRC on a communications procedure
ICRMW	International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families
CRPD	Convention on the Rights of Persons with Disabilities
OP-CRPD	Optional Protocol to CRPD
ICPPED	International Convention for the Protection of All Persons from Enforced Disappearance.

[3] JS4, p. 5. See also para 31 of this document; FPSRC, p. 4; A/HRC/15/16, paras. 98 and 98.1; A/HRC/15/16/Add.1.

[4] JS4, pp. 5-6.

[5] JS2, para. 51; JS4, p. 7. See also A/HRC/15/16, paras. 98 and 98.4; A/HRC/15/16/Add.1.

[6] BDC, para. 3.1, JS4, p. 5. See also A/HRC/15/16, paras.98 and 98.6; A/HRC/15/16/Add.1.

[7] Afghan Community, p. 2. See also A/HRC/15/16, paras.97 and 97.1.

[8] ERT, para. 18; JS4, p. 14. See also A/HRC/15/16, paras. 97, 97.2, 98, 98.2 and 98.3; A/HRC/15/16/Add.1.
[9] HRW, p. 5.
[10] Gender Perspectives, para. 1.7.
[11] BWC, para. 12; Gender Perspectives, para. 2.3.
[12] CNFV, para. 13.
[13] BCIE(E), pp. 3-4. See also A/HRC/15/16, paras. 97 and 97.3.
[14] BSISHR, p. 2; JS4, p.3. See also A/HRC/15/16, paras. 97 and 97.4.
[15] JS5, para. 6.1; BSISHR, p. 2.
[16] JS3, para. 22.
[17] CNFV, para. 5; BCH, p. 3. See also A/HRC/15/16, paras. 97 and 97.7.
[18] JS4, p. 3.
[19] JS4, p. 14.
[20] BCF, para 11. See also A/HRC/15/16, paras. 97 and 97.6.
[21] CNFV, para. 11.
[22] SCAF, p. 2-3, BSISHR, p. 2. See also A/HRC/15/16, paras. 97 and 97.6.
[23] BUEE, paras. 6-7 and 9; BCIE(E), p. 5; SCAF, p. 2.
[24] Evolution, pp. 1-2; BCF, paras. 12-18; CNFV; para. 9; BCH, p. 3.
[25] CWPD, p. 1.
[26] BRPO, p. 3.
[27] JS4, pp. 3 and 13.
[28] JS1, para. 6.1.
[29] Evolution, p. 1. See also A/HRC/15/16, paras. 97 and 97.50.
[30] BSISHR, p. 3.
[31] FPSRC, p. 2. See also A/HRC/15/16, paras. 97 and 97.53.
[32] JS1, para. 7.10. See also OSCE-ODIHR, p. 6.
[33] JS4, p.4.
[34] EcooM, p.1; CWPD, p. 2; FPSRC, p. 4. See also A/HRC/15/16, paras. 97, 97.11, 97.13-97.17, 98 and 98.13; A/HRC/15/16/Add.1.
[35] JS5, para 6.5. See also OSCE-ODIHR, p. 6.
[36] Front Line Defenders, para. 23.
[37] JS2, para. 44; HRW, p. 5; Freedom Now, para. 16; JS5, para. 6.5; Front Line Defenders, para. 23.
[38] JS4, p. 14.
[39] JS5, para. 6.5.
[40] JS4, p. 14.
[41] JS4, p. 14.
[42] ERT, paras. 6 and 25.
[43] JS3, para. 21; GayBelarus, para. 21; JS4 p. 14.
[44] ERT, para. 25.
[45] Gender Perspectives, para. 1.2.
[46] Gender Perspectives, paras. 1.3-1.4.
[47] ERT, para. 25.
[48] Gender Perspectives, paras. 1.1 and 1.5. See also A/HRC/15/16, paras. 97, 97.20, 97.36 and 97 43.
[49] Gender Perspectives, para. 1.6; ERT, paras. 15-17. See also A/HRC/15/16, paras. 97 97.20, 97.36, 97.43, 98.15; A/HRC/15/16/Add.1.
[50] ERT, para. 16.
[51] Afghan Community, pp. 4-5. See also A/HRC/15/16, para. 98.14 and A/HRC/15/16/Add.1.
[52] ERT, paras. 10-11.
[53] ERT, para. 12.
[54] ERT, paras. 13-14
[55] JS2, para. 4.
[56] ERT, para. 20.
[57] GayBelarus, para. 4. See also JS2, para. 3.
[58] GayBelarus, paras. 7 and 32-33; JS3, para. 6. See also ERT, para. 20.
[59] JS3, para. 5; GayBelarus, paras. 6 and 25-27; JS2, paras. 36-41; ERT, para 20.
[60] GayBelarus, para. 6; JS3, para. 5.

[61] JS2, paras. 52-54, GayBelarus, paras. 35-37; ERT, para. 21.
[62] ERT, paras. 18-19.
[63] HRW, p. 1; JS4, p. 4.
[64] HRW, p. 1.
[65] JS4, p. 4; Forum 18, paras. 48-51. See also OSCE-ODIHR, p. 6.
[66] Forum 18, paras. 45-47.
[67] JS4, p. 5; HRW, p. 4.
[68] OSCE-ODIHR, pp. 5-6.
[69] JS4, p. 5.
[70] FPSRC, pp. 5-6. See also A/HRC/15/16, paras.98 and 98.17; A/HRC/15/16/Add.1.
[71] OSCE-ODIHR, p. 5.
[72] BDC, paras. 2.1-2.4 and 2.39. See also A/HRC/15/16, paras. 98.19-98.20; A/HRC/15/16/Add.1.
[73] BDC, paras. 2.20-2.21.
[74] BDC, para. 2.38.
[75] JS4, p. 5.
[76] BDC, paras. 3.2-3.4; JS4, p. 5.
[77] JS4, p. 5. See also A/HRC/15/16, paras. 97, 97.15, 97.28, 98.19, 98.21, 98.22, 98; A/HRC/15/16/Add.1.
[78] JS4, p. 6.
[79] Freedom Now, paras. 8-10; HRW, p. 1.
[80] JS2, paras. 34-35.
[81] JS4, p. 7; JS2, para. 50. See also A/HRC/15/16, para. 98.21, A/HRC/15/16/Add.1.
[82] HRW, p. 5; JS5, para. 6.2; JS4, p. 6.
[83] JS4, p. 7; JS2, para. 49. See also OSCE-ODIHR, p. 5; Freedom Now, para. 16.
[84] Front Line Defenders, para. 22.
[85] JS4, pp. 6-7.
[86] JS5, para. 6.2; HRW, p. 5.
[87] CPDW, pp. 1-2; CNFV, para. 5; Gender Perspectives, para. 1.8; BWC, paras. 21-22. See also A/HRC/15/16, paras. 97, 97.24.
[88] Gender Perspectives, para. 1.8; CWPD, pp. 1-2; CNFV, para. 7.
[89] CPDW, p. 2; ERT, para 17.
[90] Gender Perspectives, para. 1.9.
[91] Gender Perspectives, paras. 1.10-1.11; ERT, para. 17.
[92] Gender Perspectives, para. 1.12.
[93] CNFV, p. 1.
[94] GIEACPC, p. 1. See also A/HRC/15/16, para. 98.24; A/HRC/15/16/Add.1.
[95] GIEACPC, p. 1.
[96] CNFV, paras. 4 and 9; BWC; paras. 12-14; Gender Perspectives, para. 2.2. See also A/HRC/15/16, paras. 97, 97.3 and 97.27.
[97] Gender Perspectives, paras. 2.2-2.4.
[98] Gender Perspectives, para. 2.5. See also A/HRC/15/16 paras. 97 and 97.25.
[99] Gender Perspectives, paras. 2.6-2.7.
[100] JS4, p. 7.
[101] JS4, pp. 7-8. See also A/HRC/15/16, para. 98.25; A/HRC/15/16/Add.1.
[102] OSCE-ODIHR, pp. 4-6.
[103] JS4, p. 8.
[104] JS4, p. 8.
[105] ERT, para. 25.
[106] Front Line Defenders, para. 4. See also A/HRC/15/16, para. 98.26; A/HRC/15/16/Add.1.
[107] OSCE-ODIHR, pp. 5-6.
[108] JS5, para. 6.2.
[109] Freedom Now, para. 10.
[110] BCF, paras. 6-9; See also A/HRC/15/16, paras. 97, 97.33, 97.35, 97.36 and 97.54.
[111] JS3, para. 12.
[112] JS4, pp. 8-9.
[113] OSCE-ODIHR, p. 5. See also p. 6.

[114] JS4, p. 9. See also HRW, p. 3.
[115] HRW, p. 3. See also p. 4; Front Line Defenders, paras. 12-13; JS5, para. 3.2.
[116] HRW, p. 5.
[117] Forum 18, para. 1.
[118] Forum 18, para. 2.
[119] JS4, p 10.
[120] ERT, para.8. See also A/HRC/15/16, paras. 97 and 97.38.
[121] JS4, p.11. See also Forum 18, paras. 12-15.
[122] Forum 18, paras. 26-30.
[123] Forum 18, paras. 32-33; JS4, p.11.
[124] JS6, paras. 3 and 7. See also paras. 4-6 and 8-16.
[125] BSISHR, pp. 3-4.
[126] HRW, p. 2.
[127] JS4, p. 10.
[128] JS5, paras. 4.1-4.9.
[129] JS4, p. 9. See also p. 10; HRW, p. 2.
[130] HRW, p.2.
[131] Freemuse, paras. 7-8 and 10-16.
[132] Freemuse, para. 8.
[133] JS4, p. 10.
[134] JS4, p. 15.
[135] JS5, para. 6.3.
[136] HRW, p. 3.
[137] JS5, para. 1.1. See also JS4, p. 12; JS1, para. 1.2.
[138] JS5, paras. 1.4-1.9; JS1, paras. 1.2-1.3 and 2.1; JS2, para. 26; Front Line Defenders, para. 6; BSISHR, p. 4; HRW, p. 3; GayBelarus, paras. 9-15; JS4, pp. 12-13.
[139] JS5, para 1.4.
[140] JS2, paras. 29-30. See also Front Line Defenders, para. 7; GayBelarus, paras. 8-9.
[141] JS1, paras. 3.6 and 7.3.
[142] JS1, paras. 2.1-2.2. See also HRW, p. 3; JS4, pp. 12-13.
[143] JS2, para. 27; JS1 para, 3.2.
[144] Front Line Defenders, paras. 4, 6 and 23; Freedom Now, para. 11; JS1, paras. 1.3 and 4.2-4 4; JS5, paras. 1.3 and 6.1; HRW, pp. 3 and 5; JS2, paras. 6 and 48; Forum 18, para. 25; JS4, pp. 10-11 and 13; ERT, para. 25. See also A/HRC/15/16, paras. 98.9, 98.28, 98.30 and 98.31; A/HRC/15/16/Add.1.
[145] JS2, paras. 5 and 7-8; JS4, p. 12. See also A/HRC/15/16, paras. 98.11; A/HRC/15/16/Add.1.
[146] JS1, paras.1.3, 5.1 and 5.7. See also JS4, p. 13; CNFV, para. 12.
[147] JS1, paras. 2.3 and 5.4; HRW, p. 3; Front Line Defenders, para 23.
[148] JS1, para 5.3; CNFV, para. 12.
[149] Front Line Defenders, para. 5. See also JS5, para. 3.1.
[150] Front Line Defenders, para, 8; Freedom Now, para. 13; HRW, p. 3; OSCE-ODIHR, p. 7, JS5, para. 3.5.
[151] GayBelarus, paras. 8, 13-24 and 37; HRW; pp 3-5; JS2, paras. 35 and 49; JS5, paras. 3.3 and 6.2-6.3; Front Line Defenders, paras. 1-4, 8-14, 19-21 and 23; Freedom Now, paras. 2, 12 and 14-16.
[152] JS4, p. 11. See also HRW, pp. 1-2.
[153] JS2, para. 9; JS5, paras. 5.2-5.3; JS4, pp. 11-12; Front Line Defenders, paras. 15-16.
[154] JS3, para. 7.
[155] HRW, p. 5.
[156] JS2, para. 45; Front Line Defenders, para. 23; JS5, para. 6.4; JS4, p. 12.
[157] HRW, pp. 1-2. See also Freedom Now, paras. 7-11; OSCE-ODIHR, pp. 2-3.
[158] Freedom Now, para. 10. See also HRW, pp. 1-2.
[159] HRW, pp. 1-2. See also Freedom Now, para. 11.
[160] JS5, para. 5.4. See also GayBelarus, para. 28.
[161] OSCE-ODIHR, pp. 2-3.
[162] OSCE-ODIHR, pp. 2-3.
[163] OSCE-ODIHR, p, 3.
[164] OSCE-ODIHR, p, 3.

[165] JS1, para. 2.5.
[166] JS1, para. 3.5.
[167] JS1, para. 3.5; JS4, p. 12.
[168] BSISHR, p. 3.
[169] BUEE, paras. 6-7.
[170] BUEE, para. 8.
[171] ERT, para. 25.
[172] BCH, p. 3.
[173] BWC, para. 9.
[174] ERT, para 17.
[175] JS3, para. 10.
[176] JS4, p. 14.
[177] JS4, p. 15.
[178] ERT, para. 18.
[179] JS3, para. 11. See also ERT, para. 18.
[180] JS3, para. 15.
[181] JS3, para. 23.